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Petition of Bally's Park Place, Inc. d/b/a Bally's)	
Atlantic City Requesting Amendment of Its)	
Operations Certificate And Casino Hotel)	ORDER
Beverage License)	PRN 2291201
(Expansion of Type II Mountain Bar and)	
Decrease of Type I Casino Space))	
)	

Having considered the relevant provisions of the Casino Control Act, *N.J.S.A. 5:12-1 et seq.*, I hereby ORDER that the Petition be granted and the CHAB license of Bally's be amended to increase the size of the Mountain Bar outlet and correspondingly decrease the size of casino floor space, as these locations are specified in PRN 2291201 and approved as changes to the casino floor by Division letter dated August 22, 2012, subject to the following conditions:

1. Service of alcoholic beverages within the casino floor area will comply with all requirements attendant to Type I CHAB authorization, pursuant to *N.J.S.A. 5:12-103g(1)* and *N.J.A.C. 13:69I-3.1*, and service of alcoholic beverages within the areas of the Mountain Bar will comply with all requirements attendant to Type II authorization, pursuant to *N.J.S.A. 5:12-103g(2)* and with all applicable alcoholic beverage laws and regulations of the Division and, as deemed applicable, the Division of Alcoholic Beverage Control.
2. Bally's is to obtain all necessary approvals from other governmental agencies prior to commencing operation of the Type I and Type II locations.

Dated: August 24, 2012


DAVID L. REBUCK
DIRECTOR



State of New Jersey

Chris Christie
Governor

Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement
1300 Atlantic Avenue
Atlantic City, NJ 08401

Jeffrey S. Chiesa
Attorney General

Kim Guadagno
Lt. Governor

David Rebuck
Director

August 22, 2012

Michael A. Magazzu, Esquire
Corporate Counsel
Caesars Entertainment, Eastern Division
c/o Bally's Atlantic City
Park Place and The Boardwalk
Atlantic City, New Jersey 08401

RE: Petition #2291201

Dear Mr. Magazzu:

The staff of the Division of Gaming Enforcement's (Division) Regulatory Enforcement Bureau has reviewed Petition #2091202 filed by Bally's Park Place, Inc. d/b/a Bally's Atlantic City ("Bally's") dated July 27, 2012, and two (2) amended letters to supplement the above referenced petition dated July 31, 2012. On August 10, 2012, Bally's filed "Notice" to the Division withdrawing said petition.

On August 16, 2012, the Division received and reviewed a new Petition #2291201 filed by Bally's seeking approval for amendments to its Certificate of Operation and Casino Hotel Alcoholic Beverage (CHAB) License.

Bally's is currently operating under a Certificate of Operation which was approved in Petition #0381202 on February 16, 2012, by the Division of Gaming Enforcement.



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By Petition #2291201, Bally's seeks approval to complete modifications to its casino floor as depicted on the architectural drawing labeled PCO-133B, PCO-133S, and PCO 133W dated August 1, 2012, which was prepared and certified by David J. Rudzenski, AIA, License #08443 of R2Architects.

The petitioner proposes the following:

PARK PLACE

- | | |
|--------|---|
| Pit #5 | Remove one (1) table, add one (1) table. |
| Pit #6 | Remove three (3) tables, add three (3) tables, relocate twelve (12) tables and renumber two (2) tables. |
| Pit #7 | Remove two (2) tables and add two (2) tables. |

WILD WILD WEST

Miscellaneous Changes

- i. Add a mechanical bull to the surrounding area adjacent to the Mountain Bar.

- ii. Add a beer pong area on the casino floor adjacent to the mechanical bull area with approximately eight (8) beer pong tables, which area will be surrounded by stanchions so as to contain the area from the rest of the casino floor. The beer pong tables will be located in an area approved as casino space. Bally's has requested that the beer pong area be added to its CHAB license as a Type II area so that all alcoholic beverages will be available only for purchase. Beverage service at the beer pong area will emanate from the Mountain Bar service bar. Hours of operation in the beer pong area will vary according to business demands.
- iii. The boundary of the Mountain Bar will be expanded by moving the perimeter railings, and approximately eight (8) tables will be added for Mountain Bar patrons. Bally's requests to change its CHAB license to reflect the entire Mountain Bar, including the expanded area referenced herein, as a Type II authorized area. This change will result in a **decrease of 562 casino square feet** at Petitioner's Wild Wild West location from **21,077 square feet to 20,515 square feet.**
- iv. Miscellaneous camera changes.
- v. Relocate NRT machines.
- vi. An addition of one (1) portable bar counter adjacent to the beer pong area.
- vii. Addition of one (1) punching bag machine and one basketball shooting game within the perimeter of the Mountain Bar which will be operable as business volumes dictate.

CLARIDGE

There are no changes proposed to the casino square footage or simulcast square footage at the Claridge location.

The summary of the statistical calculations is as follows:

1. The total number of combined slot machines remains the same at **2,328** and the total number of combined slot stools remains the same at **2,326**.
2. The number of table games will remain the same at **137**.
3. The total **Bally's Atlantic City** casino floor remains at eighty-three thousand five hundred sixty-nine (**83,569**) square feet. The total **Bally's Atlantic City** simulcast area remains at nine thousand three hundred ninety-three (**9,393**) square feet. The total **Wild Wild West** casino floor has changed from twenty-one thousand seventy-seven (**21,077**) square feet to twenty thousand five hundred-fifteen (**20,515**) square feet. The total **Wild Wild West** simulcast area remains at zero (**0**) square feet. The total **Claridge** casino floor and simulcast area remains at zero (**0**) square feet. The combined total gaming area, including simulcast has changed from one hundred fourteen thousand thirty-nine (**114,039**) square feet to one hundred thirteen thousand four hundred seventy-seven (**113,477**) square feet.
4. The allowable slot coverage (90% of 113,477 sq. ft.) is one hundred two thousand one hundred twenty-nine (**102,129**) square feet.
5. The actual slot coverage is sixty-five thousand three hundred fifty-eight (**65,358**) square feet or **57.6%** of the total gaming area and within the allowable 90% for slot density.

Based on the Division's authority, the requested amendments to Bally's Atlantic City Certificate of Operation as set forth above, are hereby granted pursuant to N.J.A.C. 13:69C-7.1, et seq. This approval authorizes a casino room containing and consisting of **113,477** square feet of total gaming space, **137** table games, **2,328** slot machines and **2,326** slot stools.

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Please note that the designation of smoking areas in casinos is subject to the jurisdiction of the N.J. Department of Health and Senior Services and the Atlantic City Department of Health and Human Services, not the Division. Accordingly, this letter should in no way be construed as approving areas of the gaming floor for smoking.

This approval is subject to the following conditions:

- A. That revised operational blueprints reflecting the changes approved herein be submitted to the Division's Regulatory Enforcement Bureau, casino licensee's security podium and the casino licensee's CCTV monitoring room;
- B. That a revised Table Game and Roulette Wheel inventory list are submitted to the in-house Division office;
- C. That the request for CHAB changes will be subject to review by the Division's Regulatory Prosecutions Bureau, and will require an order from the Division of Gaming Enforcement should the request be approved.
- D. That Bally's notify the Division immediately in the event of any modification to the approvals granted herein;
- E. That Bally's complies with CCTV requirements identified in N.J.A.C. 13:69D-1.10 regarding the requirements to record all gaming tables whether active or inactive;
- F. That all events capable of being monitored must be accessible from the Division's CCTV monitoring system as required by N.J.A.C. 13:69D-1.10(a)3;
- G. That Bally's complies with all requirements and conditions appended to approvals received from all involved agencies of government whose approvals are required in order for a Certificate of Occupancy for the general public to be issued including, but not limited to, the Department of Community Affairs and the local construction official; and,

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- H. Once modifications have been completed, a satisfactory inspection and approval by the Division is required to ensure the changes made conform to the petition. The review also includes, but is not limited to, an assessment of the adequacy of CCTV and security coverage. Such inspection must be done **prior to the proposed areas being used for gaming activity.**

To schedule an inspection, please contact the Division at inspections@njdge.org.

If you have any questions, please do not hesitate to contact Bill Kendzierski of my staff at 441-7557.

Sincerely,



Don Errera, Deputy Chief
Regulatory Enforcement Bureau

C: MF
Chuck Kimmel, DGE
Lisa Spengler, DGE
Tim Ficchi, DGE
DGE Intake Unit
C-02-12-032